

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Case No. 1:22-cr-00315

Plaintiff,

-vs-

JUDGE DAVID A. RUIZ

KHALIL SLAYTON,

ORDER

Defendant.

This matter was before the Court on May 14, 2024, for a final hearing and sentencing in connection with the Government's request for revocation of Defendant Khalil Slayton's supervised release. The Defendant was present and represented by counsel. An initial appearance on alleged Supervised Release Violations was held by Magistrate Judge Jennifer Dowdell Armstrong on April 4, 2024, at which time Defendant Khalil Slayton, represented by counsel, executed a waiver of preliminary hearing and a waiver of detention hearing. The Magistrate Judge found that Defendant knowingly and voluntarily admitted to three violations of his supervised release conditions. R. 22, Report and Recommendation. The violations relate to three criminal cases filed against Defendant in state court, which the Report and Recommendation described as follows:

- (1) New Law Violations: On January 6, 2024, Defendant was indicted in Cuyahoga County Court of Common Pleas for the following: Count 1: Felonious Assault [F2], with both a 1- year and 3-year firearm specification; Count 2: Having Weapons Under Disability [F3]; and Count 3: Aggravated Menacing [M1]. This is case# CR-24-688574-A in Cuyahoga County Court of Common Pleas. It should be noted that on July 11, 2023, Defendant was originally indicted for similar counts, under case# CR-23-682825-A. However, that case was dismissed on July 24, 2023, and he was re-indicted under 688574.

The Violation Report also includes updated information regarding the disposition of this case. Specifically, Defendant pled guilty on January 6, 2024, to the amended charge in Count 1: Attempted, Felonious Assault [F3] (the firearm specifications were deleted) and Count 3: Aggravated Menacing

[M1]. Count 2 was dismissed. Defendant was sentenced to 36 months in state prison, to run concurrent to case# 68098 and 681954.

- (2) New Law Violation: On July 20, 2023, Defendant was indicted in Cuyahoga County Court of Common Pleas for the following: Count 1: Aggravated Robbery [F1]; Count 2: Robbery [F2], Count 3: Robbery [F3]; Count 4: Aggravated Menacing [M1]; and Count 5: Having Weapons Under Disability [F3]. Counts 1-3 also have 1-year and 3-year firearm specification and firearm forfeiture of an AR-15 rifle. This is case# CR-23-683098-B in Cuyahoga County Court of Common Pleas.

The Violation Report also includes updated information regarding the disposition of this case. Specifically, Defendant pled guilty on January 29, 2024, to the amended charge in Count 3: Robbery [F3], with 1-year firearm specification and firearm forfeiture (count was amended by deletion of 3-year firearm specification); Count 4: Aggravated Menacing [M1]; and Count 5: Having Weapons Under Disability [F3], with forfeiture specification. Counts 1 and 2 were nolle. Defendant was sentenced to five years in state prison; one year of incarceration on the firearm specification to be served prior to and consecutive to the four-year incarceration term.

- (3) New Law Violation: On July 31, 2023, Defendant was indicted in Cuyahoga County Court of Common Pleas for the following: Count 2: Tampering with Records [F3]; Count 4: Forgery [F5]; Count 6: Possessing Criminal Tools [F5]; and Count 8: Motor Vehicle Certificate of Title Offense [UF]. This is case# CR-23-681954-B in Cuyahoga County Court of Common Pleas.

The Violation Report also includes updated information regarding the disposition of this case. Specifically, Defendant pled guilty on January 29, 2024, to Count 4: Forgery; Forging Identification Cards [F5]. Counts 2, 6, and 8 were nolle. Defendant was sentenced to a state prison term of twelve months, to run concurrent to case# 683098 and 688574.

R. 22, Report and Recommendation.

No party filed an objection to the Report and Recommendation. As explained on the record during the sentencing hearing on Defendant's multiple supervised release violations, the undersigned considered the parties' positions, the record before the Court, and the Report and Recommendation. Finding no plain error, the Court adopted the Report and Recommendation in its entirety.

In addition, during the sentencing hearing the Court explained its consideration of the pertinent statutory factors set forth in 18 U.S.C. section 3583(e), (e)(3), (g), in connection with Defendant's supervised release violations. The Court sentenced Defendant to twenty-four months custody of Bureau of Prisons for such violations followed by no additional supervised release because he will be subject to post-release control for the aforementioned state court convictions.

Further, pursuant to the United States Sentencing Commission Guidelines Manual section 7B1.3(f), and as explained on the record, the Court ordered the sentence to run consecutively to the sentences imposed in the Cuyahoga County Common Pleas Court Case Nos. CR -24-688574-A, CR 23-683098-B and CR-23-681954-B.

Finally, the Court recommends that the Bureau of Prisons consider placement of defendant at FCI McKean, in consideration of Defendant's request during the sentencing hearing.

IT IS SO ORDERED.

Date: June 7, 2024

/s/ David A. Ruiz

David A. Ruiz
United States District Judge